



JWP

Docket No. JBP508DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Elvin R. Lukenbach et al.

Serial No. : 10/776,420

Art Unit: 1751

Filed : February 11, 2004

Examiner: John R. Hardee

For : CLEANSING COMPOSITIONS

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August 12, 2004

(Date of Deposit)

Erin M. Harriman

(Name of applicant, assignee, or Registered Representative)

Erin M. Harriman

(Signature)

August 12, 2004

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

08/18/2004 HARDELRI 00000113 100750 10776420
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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☒ Please charge Deposit Account No. 10-0750/JBP508DIV/EMH the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.


☒ The relevance of those listed references which are not in the English language is as follows: English language abstracts and/or equivalent English language patents are attached as noted on Form 1449

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP508DIV/EMH. This form is submitted in triplicate.

Respectfully submitted,


Erin M. Harriman
Reg. No. 40,410
Attorney for Applicants

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One Johnson & Johnson Plaza
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DATED: August 12, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 6

Application Number	10/776,420
Filing Date	02/11/2004
First Named Inventor	Elvin R. Lukenbach et al.
Group Art Unit	1751
Examiner Name	John R. Hardee
Attorney Docket Number	JBP-508 DIV

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,337,166		Hill, et al.	06/29/1982	
		4,741,855		Grote, et al.	05/03/1988	
		4,767,625		Mitsuno, et al.	08/30/1988	
		4,784,844		Thimineur, et al.	11/15/1988	
		4,980,155		Shah, et al.	12/25/1990	
		4,992,477		Geria	02/12/1991	
		5,043,155		Puchalski, et al.	08/27/1991	
		5,165,917		Zabotto, et al.	11/24/1992	
		5,217,641		Herstein	06/08/1993	
		5,244,664		Godtfredsen	06/03/1993	
		5,441,667		Tonomura, et al.	08/15/1995	
		5,451,254		Andrean, et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		CA	2,135,130		L'Oreal	05/6/1995	Eng. Abs. attached - equiv of EP0651990 (see below)	
		EP	0295886	B1	Toray Silicone Company Limited	01/02/1992		
		EP	0370856	B2	L'Oreal	08/30/1995	Eng. Abs. attached	
		EP	0541347	A2	Unilever	05/12/1993		
		EP	0651990	B1	L'Oreal	10/14/1998	Eng. Abs. attached - equiv of CA 2,135,130 (see above)	
		EP	0692236	B1	L'Oreal	07/10/1996	US equiv 5,665,687 attached	
		EP	0692240	B1	L'Oreal	01/03/2001	US equiv 5,728,389 attached	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
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Sheet 2 of 6

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		Number	Kind Code ² (if known)			
		5,563,031		Yu, et al.	10/08/1996	
		5,571,149		Liss, et al.	11/05/1996	
		5,599,800		Candau, et al.	02/04/1997	
		5,622,530		Phipps	04/22/1997	
		5,624,676		Mackey, et al.	04/29/1997	
		5,661,189		Grieverson, et al.	08/26/1997	
		5,665,687		Khayat, et al.	09/09/1997	Equiv. of EP0692236 (see below)
		5,728,389		Sebillotte-Arnaud	03/17/1998	Equiv. of EP0692240 (see below)
		5,735,273		Kurnik, et al.	04/07/1998	
		5,741,766		Lee	09/11/1998	Equiv. of EP0705592 (see below)
		5,749,847		Zewert, et al.	05/12/1998	
		5,756,437		Yamazaki, et al.	05/26/1998	

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		Office ³	Number ⁴	KindCode ⁵				
		EP	0705592	B1	L'Oreal	11/27/1996	US equiv 5,741,766 (see above)	
		EP	0839521	B1	L'Oreal	01/07/1999	US equiv 5,888,951 (see above)	
		GB	2250998	A	Unilever PLC	06/24/1992		
		JP	08143420	A	Procter & Gamble Co.	06/04/1996	Abstract	
		JP	7002677	A	Toyo Seito KK	01/06/1995	Eng Abs attached	
		TW	050104 (79/109038)		Toshiba Silicone Corporation		Eng. Abs. attached	

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Sheet 3 of 6

Application Number	10/776,420
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First Named Inventor	Elvin R. Lukenbach et al.
Group Art Unit	1751
Examiner Name	John R. Hardee
Attorney Docket Number	JBP-508 DIV

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		Number	Kind Code ² (if known)			
		5,766,575		Crotty, et al.	06/16/1998	
		5,780,050		Jain, et al.	07/14/1998	
		5,789,255		Yu	08/04/1998	
		5,791,766		Lee	08/11/1998	
		5,804,540		Tsaur, et al.	09/08/1998	
		5,814,662		Znaiden et al.	09/29/1998	
		5,827,183		Kurnik, et al.	10/27/1998	
		5,843,114		Jang	12/01/1998	
		5,865,788		Edwards, et al.	02/02/1999	
		5,869,326		Hofmann	02/09/1999	
		5,871,756		Jeffcoat, et al.	02/16/1999	
		5,888,951		Gagnebien, et al.	03/30/1999	Equiv of EP 0839521 (see below)

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	KindCode ⁵				
		WO	95/05145	A1	Unilever PLC	02/23/1995		
		WO	95/05160	A1	Unilever PLC	02/23/1995		
		WO	98/35652	A1	Wella Aktiengesellschaft	08/20/1998	Eng. Abs. On face of patent	
		WO	98/48768	A1	Medlogic Global Corp	11/05/1998		
		WO	98/51276	A1	Procter & Gamble Co.	11/19/1998		
		WO	98/52528	A1	Procter & Gamble Co.	11/26/1998		
		WO	98/54277	A1	Minnesota Mining & Mfg. Co.	12/03/1998		

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Sheet 4 of 6

Application Number	10/776,420
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Attorney Docket Number	JBP-508 DIV

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		Number	Kind Code ² (if known)			
		5,893,885		Webster, Jr.	04/13/1999	
		5,897,553		Mulier, et al.	04/27/1999	
		5,906,613		Mulier, et al.	05/25/1999	
		5,989,572		Habif, et al.	11/23/1999	
		5,993,434		Dev, et al.	11/30/1999	
		6,014,584		Hofmann, et al.	01/11/2000	
		6,055,043		Chambers	04/25/2000	
		6,063,397		Fowler, et al.	05/16/2000	
		6,068,650		Hofmann, et al.	05/30/2000	
		6,096,020		Hofmann	08/01/2000	
		6,117,660		Walters, et al.	09/12/2000	
		6,120,493		Hofmann	09/19/2000	

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		Office ³	Number ⁴	KindCode ⁵				
		WO	98/55576	A1	Unilever NV	12/10/1998		
		WO	00/27353	A	Johnson & Johnson Consumer Companies Inc.	05/18/2000		
		WO	01/01949	A1	Johnson & Johnson Consumer Companies Inc.	01/11/2001		

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Sheet 5 of 6

Application Number	10/776,420
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First Named Inventor	Elvin R. Lukenbach et al.
Group Art Unit	1751
Examiner Name	John R. Hardee
Attorney Docket Number	JBP-508 DIV

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		Number	Kind Code ² (if known)			
		6,148,232		Avrahami	11/14/2000	
		6,181,964		Hofmann, et al.	01/30/2001	

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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 6 of 6

<i>Application Number</i>	10/776,420
<i>Filing Date</i>	02/11/2004
<i>First Named Inventor</i>	Elvin R. Lukenbach et al.
<i>Group Art Unit</i>	1751
<i>Examiner Name</i>	John R. Hardee
<i>Attorney Docket Number</i>	JBP-508 DIV

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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